

Appl. No. 09/314,615
Reply to Final Office Action of July 27, 2005

REMARKS/ARGUMENTS

Reconsideration of the rejections set forth in the Final Office Action dated July 27, 2005 is respectfully requested. Claims 14 and 16-30 are currently pending and have been rejected.

Claim 14 has been amended to recite that a configuration is stored if it is detected that a third audio transducer has been turned on. Support for this amendment may be found in the Specification, as for example from page 9 at line 23 to page 10 at line 1. Claim 14 has further been amended to recited that if the third audio detector has not been detected as being turned on, it is determined if a new configuration is received. Support for this amendment may be found in the Specification, as for example on page 10 at lines 5-6. Claim 16 has been amended to recite that a configuration is restored it a third audio transducer has been turned off. Support for this amendment may be found in the Specification, e.g., on page 11 at lines 5-8.

On page 7 of the Final Office Action dated July 27, 2005, the Examiner states that "Applicant's arguments filed on 10/20/2004 have been fully considered but they are not persuasive." The Applicants note that more recent arguments were filed on May 13, 2005, and would hope that the Examiner considered those arguments and not just the arguments that were filed on October 20, 2004.

Rejections under 35 U.S.C § 102(e)

Claims 14 and 16-30 have been rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 5,822,406, issued October 13, 1998 to Brown (hereinafter "Brown").

1. Independent claim 29 and its dependent

Independent claim 29 recites a method for managing audio transducers. The method includes receiving a configuration for a plurality of audio transducers that specifies that audio

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signals are to be sent to a first audio transducer and received from a second audio transducer.
The received configuration for the plurality of transducers is stored.

The Examiner has argued that Brown teaches the method of claim 29, including teaching that a received configuration for a plurality of audio transducers which specifies that audio signals are to be sent to a first audio transducer and received from a second audio transducer is stored. The Applicants respectfully disagree with the Examiner's argument, and submit that Brown does not teach of storing a received configuration, as taught in claim 29.

Lines 32-38 of column 6 of Brown, in addition to Table 1 of Brown, have been cited by the Examiner as teaching of storing a configuration. Table 1 shows "Modes of Operation," and lines 32-38 of column 6 appear to teach that different modes can be programmably selected by a user. However, even upon a careful review of these sections by the Applicants, the Applicants remain unable to locate any teaching of receiving a configuration and then storing the received configuration. There is no indication that the Modes of Operation in Table 1 of Brown were received and then stored.

On page 7 of the Final Office Action dated July 27, 2005, the Examiner makes the following statement:

"Examiner disagrees because Brown teaches operating modes in table 1, such that a user may select a mode by computer keyboard inputs or from a click of mouse (see column 4, lines 6-14). Brown further teaches that different operating modes can be programmably selected by a user and additional modes can be programmed to tailor user's needs (see column 6, lines 32-38). It is inherent that the operation modes are stored previously such that a user can select on of these modes."

It is respectfully submitted that storing operation modes that a user can select is not the same as receiving a configuration, then storing the received configuration. It would appear that for Brown to reasonably suggest the claimed invention, Brown would have to suggest that a user selection is stored. Even a user selection of a Mode of Operation is not taught as being stored,

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and there is no teaching that Table 1 is created by receiving and then storing the Modes of Operation. Therefore, claim 29 is believed to be allowable over Brown for at least this reason.

Claims 30 depends directly from independent claim 29 and is, therefore, believed to be allowable over Brown for at least the reasons set forth with respect to claim 29. Claim 30 recites additional limitations which, when considered in light of claim 29, are believed to further distinguish the claimed invention over the cited art. Claim 30 recites that a stored configuration is restored when a third audio transducer has been turned off. On page 7 of the Final Office Action dated July 27, 2005, for example, the Examiner has argued that Brown teaches detecting an on-hook signal of local telephone 210, and once the local telephone is on-hook, the transducers of telephone 201 are off. The Examiner then argues that mode 9 is inherently restored to its original routings since the transducers of telephone 201 can no longer be reached. It is respectfully submitted that there is no teaching that mode 9 in any way restores a stored configuration that audio signals are sent to a first audio transducer. In the passage of Brown cited by the Examiner, Brown discloses that an LPOHD signal from detector 202 is used to determine a local telephone hang-up, and does not teach of or suggest restoring a previous configuration such that audio signals are sent to a first audio transducer rather than to a third audio transducer. Determining a local telephone hang-up using an LPOHD signal is not equivalent to, and does not reasonably suggest, restoring a stored configuration when a third transducer has been turned off. **The Applicants are unable to identify any passage in Brown which teaches the limitations of claim 30, and would appreciate it if the Examiner would kindly point out such a passage.** Therefore, claim 30 is further believed to be allowable over Brown for at least this additional reason.

2. Independent claim 14 and its dependents

Independent claim 14 recites similar limitations as those recited in claim 29. As amended, claim 14 requires detecting if a third audio transducer has been turned on, and storing a configuration if it is detected that the third audio transducer has been turned on. It is respectfully submitted that Brown fails to teach storing a configuration if it is detected that a third audio

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transducer has been turned on. Accordingly, claim 14 is believed to be allowable for at least this reason.

Claims 16-21 each depend either directly or indirectly from independent claim 14 and are, therefore, each believed to be allowable over Brown for at least the reasons set forth above with respect to claim 14. Each of these dependent claims recites additional limitations which, when considered in light of claim 14, are believed to further distinguish the claimed invention over Brown.

3. Independent claim 22 and its dependents

Claim 22 recites a method of managing audio transducers which includes receiving a user selection of an audio transducer, determining if there is a default audio transducer that corresponds to the selected audio transducer, and automatically selecting the default audio transducer if there is one. Finally, the configuration is for a plurality of audio transducers is sent to an audio transducer switch.

The Examiner has argued that Brown teaches the limitations of claim 22. The Applicants respectfully disagree with the Examiner's assertions, and submit that among other deficiencies of Brown, Brown does not teach automatically selecting a default audio transducer so that it is to be utilized if it is determined there is a default audio transducer that corresponds to the selected audio transducer. On page 5 of the Final Office Action dated July 27, 2005, the Examiner addresses claim 22, but does not address this limitation. Although the Applicant has previously noted that the Examiner does not appear to have discussed this limitation, the Examiner still does not appear to address this limitation except to state that "it is inherent that the earpiece and the mouthpiece of telephone 201 are corresponding to each other" on page 7 of the Final Office Action dated July 27, 2005. As such, claim 22 is believed to be allowable over Brown for at least this reason.

Claims 23-28 each depend from claim 22 and are, therefore, each believed to be allowable over Brown for at least the reasons set forth above with respect to claim 22. Each of


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these claims recites additional limitations which, when considered in light of claim 22, are believed to further distinguish the claimed invention over the art of record. By way of example, dependent claim 23 recites receiving a user input that specifies an audio transducer that corresponds to another audio transducer as a default. The Examiner has argued that Brown teaches of such a limitation, and has specifically cited figure 8 of Brown, and lines 53-65 of column 9 of Brown as teaching of "pairing microphone 227 with headset 223." First, it is respectfully submitted that neither the cited figure nor the cited text disclose or suggest pairing a microphone with a headset. The passage cited by the Examiner only mentions a microphone in the context of signals being inputted for processing, and fails to even suggest that either a microphone or a headset is an audio transducer that corresponds to another audio transducer. There appears to be no teaching or suggestion in the cited passage or receiving a user input that specifies an audio transducer that corresponds to another audio transducer as a default. Therefore, claim 23 is believed to be allowable for at least this reason as well.

Conclusion

For the foregoing reasons, the Applicants believe all the pending claims are in condition for allowance and should be passed to issue. If the Examiner feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (650) 694-5339.

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